

**BEFORE
THE STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION**

**In the Matter of the Application of)
Inmate Calling Solutions, LLC)
d/b/a ICSolutions for a Certificate)
of Public Convenience and)
Necessity to Provide Intrastate Resold)
Institutional Telecommunications Services)
throughout the State of South Carolina)**

**MOTION FOR PROTECTIVE TREATMENT AND
BASIS FOR FILING EXHIBIT IV AS TRADE SECRET**

Introduction

("Applicant"), by its attorneys and pursuant to S.C. Code Ann. § 39-8-10, *et seq.* and Commission Order No. 2005-226 and all other applicable rules, statutes and regulations, hereby files this Motion for Protective Treatment ("Motion") in the above-captioned proceeding. By this Motion, the Applicant seeks protective treatment by the South Carolina Public Service Commission ("Commission"), of certain commercially-sensitive financial statements attached as *Exhibit IV*, filed as Trade Secret to the Application for Authority for Inmate Calling Solutions, LLC d/b/a ICSolutions ("ICSolutions") to Provide Intrastate Resold Telecommunications Services in the State of South Carolina ("Application"). Because this Motion is an inseparable part of the Application, it is being filed concurrently therewith.

In support of this Motion, the Applicant provides the following:

1. The exact legal name, address and telephone number of the Applicants are:

Inmate Calling Solutions, LLC d/b/a ICSolutions
5883 Rue Ferrari
San Jose, California 95138-1857
Phone: (408) 362-4000

2. Correspondence or communications regarding this Motion should be addressed to:

Ms. Bonnie D. Shealy, Esquire
Robinson, McFadden & Moore
1901 Main Street
Columbia, SC 29202
Phone: 803-779-8900
Fax: 803-252-0724

with a copy to:

Robin Norton, Consultant to
Inmate Calling Solutions, LLC d/b/a ICSolutions
Technologies Management, Inc.
210 N. Park Avenue
Winter Park, FL 32789
Phone: 407-740-3004
Fax: 407-740-0613

I. Description of Confidential Information.

3 The Application requires Inmate Calling Solutions, LLC d/b/a ICSolutions ("ICSolutions") to disclose evidence of financial fitness through the submission of documentation of its financial resources and ability to provide the requested service. In conformity with this requirement, the Applicant submits copies of its financial statements. These documents contain highly confidential and strictly proprietary information, the public disclosure of which may result in direct, immediate and substantial harm to the competitive position of the Applicant in South Carolina and elsewhere.

II. Grounds for Claim of Confidentiality.

4. Inmate Calling Solutions, LLC d/b/a ICSolutions is presently immune from a legal obligation to prepare or submit projected financial statements, or any other financial information, to any public entity. As such, the financial statements attached as *Exhibit IV* to the Application are not readily available to persons external to ICSolutions except for regulatory and governmental agencies with jurisdiction over ICSolutions, and then only under seal.

5. Because the projected financial statements submitted by ICSolutions in support of the Application contain confidential and commercially-sensitive information from which its competitors may derive economic value, ICSolutions seeks to protect such material from public disclosure. ICSolutions derives independent economic value from the fact that significant, detailed and proprietary information

regarding its financial structure and current financing activities is unknown to its competitors. As such, the Company's financial statements are a "trade secret" as that term is used in South Carolina Trade Secrets Act. *S.C. Code Section 39-8-20(5)*. Given this fact, the disclosure of this information could provide existing and potential competitors, including institutional calling services providers in South Carolina, as well as in other states in which Inmate Calling Solutions, LLC d/b/a ICSolutions provides or intends to provide telecommunications service, with an unfair and undeserved competitive advantage.

6. ICSolutions clarifies herein that its request for protection applies only to the documents attached as *Exhibit IV* to the Application. ICSolutions is not seeking protection of any type for those reports ICSolutions is required to file with the Office of Regulatory Staff ("ORS") should the relief sought in the Application be granted: the Annual Report Form, Gross Receipts Report, and Universal Service Fund Worksheet.

CONCLUSION

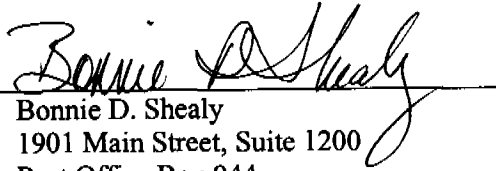
7. The financial information included in support of Inmate Calling Solutions, LLC d/b/a ICSolutions' Application, for which Confidential Treatment is sought, is both proprietary and competitively-sensitive. The substantial and direct harm that could be caused to ICSolutions as a result of any disclosure is real and not speculative. Moreover, to date, no other jurisdiction or governmental agency has required ICSolutions to make this information available to the public. For all these reasons, the financial statements attached as *Exhibit IV* to the Application should be protected from public disclosure by the Commission.

WHEREFORE, Inmate Calling Solutions, LLC d/b/a ICSolutions respectfully request that the South Carolina Public Service Commission grant this Motion for Protective Treatment with respect to the financial statements attached as *Exhibit IV* to the Application for Authority for ICSolutions to Provide Intrastate Resold Telecommunications Services in the State of South Carolina and filed *under seal* as Confidential in this proceeding.

Dated this 28th day of April, 2009.

Respectfully submitted,

ROBINSON, MCFADDEN & MOORE, P.C.

By 
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Convenience and Necessity to Provide)
Intrastate Resold Institutional)
Telecommunications)
Services and for Alternative Regulation)
Within the State of South Carolina)

Exhibit IV to Application Financial Statements

CONFIDENTIAL & PROPRIETARY
FILED UNDER SEAL